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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78805

Osamu KOYASU, et al.

Appln. No.: 10/765,090

Group Art Unit: 2831

Confirmation No.: 9823

Examiner: Chau N. Nguyen

Filed: January 28, 2004

For: CABLE

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

Timothy P. Cremen
Registration No. 50,855

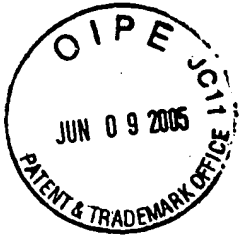
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WASHINGTON OFFICE

23373

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Date: June 9, 2005



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TERMINAL DISCLAIMER

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Sir:

The undersigned, on behalf of the petitioner, FUJIKURA LTD., represents that the petitioner, FUJIKURA LTD. is the owner of the entire right, title and interest of U.S. Application No. 10/773,313, filed on February 9, 2004 for OPTICAL FIBER CABLE, METHOD OF MANUFACTURING THE SAME, AND FACILITIES FOR MANUFACTURING THE SAME by virtue of an Assignment from all of the inventors thereof executed on January 29, 2004, recorded on February 9, 2004 at Reel 014970, Frame 0102, as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/765,090 by virtue of an Assignment from all of the inventors thereof executed on January 5, 2004, recorded on January 28, 2004, at Reel 014935, Frame 0062.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/765,090 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/773,313, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/765,090 shall be enforceable only for and during such period that the legal title to any patent issuing from U.S. Application No. 10/773,313 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/765,090, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/765,090 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/765,090 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 10/773,313 in the event that any patent issuing from U.S. Application No. 10/773,313 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer
U.S. Patent Application Ser. No.: 10/765,090

Attorney Docket # Q78805

The undersigned is an attorney of record.

Respectfully submitted,



Timothy P. Cremen
Registration No. 50,855

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